

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GILBERT MEDICAL BUILDING LLC,
and AKY MD GILBERT, LLC,

Plaintiff,

v.

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant.

Case No. 20-CV-896-R

SUBPOENA DUCES TECUM

TO: Bovini Consultants
c/o Registered Agent Darrell Smith
11885 FM 2868
Flint, TX 75762

You are commanded to produce and permit inspection and copying of the following described documents/things on October 15, 2021 by 5:00 p.m. producing these documents electronically to ddowns@soonerlaw.com or mailing the same to Taylor, Foster, Mallet, Downs, Ramsey & Russell at 400 W. Fourth Street, Claremore, OK 74017.

1. Any and all documents in your possession, custody, and/or control concerning any inspection or insurance claim DHY 1443, or any other insurance claim, made by Gilbert Medical Building, LLC or AKY MD Gilbert, LLC as to property located 7530 NW 23rd St. in Bethany, Oklahoma. This includes, but is not limited to, communications (including emails, transcripts, and text messages), reports, contracts, estimates, bills, bids, memoranda (including internal), drafts of the preceding documents, and notes.
2. Any and all documents in your possession, custody and/or control upon which Duane Smith or other employees or agents of Bovini Consultants relied upon to generate opinions in the above-captioned case, including but not limited to, articles and treatises.
3. All receipts, invoices, bills, or other documents evidencing compensation for any inspections or reports identified in paragraph 1 above.

4. Any and all correspondence, emails, contracts, bills, invoices and memorandum or other written materials between Bovini Consultants or Duane Smith and Preston J. Dugas of the Preston Dugas Law Firm, LLC, and Terry McKeever and Alex Yaffe of the Foshee & Yaffe Law Firm.
5. Photographs of any physical samples you have related to the above captioned insurance claim.
6. Your complete litigation file for the above-referenced case.
7. Any and all documents referencing the Gilbert Medical Building located at 7530 NW 23rd St., Bethany, Oklahoma not otherwise responsive to the proceeding topics.

In order to allow objections to the production of documents and things to be filed, you should not produce them until the date specified in this subpoena, and if an objection is filed, until the Court rules on the objection.

A. Instructions

1. In responding to this Subpoena Duces Tecum, you are required to furnish all documents that are available to you, or that you may obtain by reasonable inquiry, including documents in the possession of your attorneys, accountants, advisors, or other persons directly or indirectly employed by, or connected with, you or your attorneys, or anyone else otherwise subject to your control. If you object to production of any document or category of documents, or any part of a document or category of documents, you are required to furnish the documents or categories of documents, or parts of documents or categories of documents to which you do not object.
2. The form or forms in which electronically stored information is to be produced is PDF.
3. If you object to the production of any of the documents or parts of the documents described above, then, in order to assist the court in ruling on your objection, with respect to each document that you do not produce:
 - (a) State the date and nature of the document;
 - (b) State the name of the person who wrote the document and, if it is a letter, the person to whom it was addressed;
 - (c) Describe the subject matter of the document;

(d) State the grounds of your objection; and

(e) State the name and business and residence address and telephone number of each person who has possession, custody, or control of the document.

B. Definitions

1. "You" or "your" refers to Bovini Consultants and any of its agents, employees, or representatives.
2. "Person" refers to any entity, including but not limited to any natural person, partnership, corporation, company, trust, estate, joint venture, or association of persons.
3. "Document" refers to any form of data compilation whether produced, reproduced, or stored on paper or electronically. A "document" includes, but is not limited to, writings, drawings, graphs, charts, photographs, motion picture films, phonograph records, tape and video recordings, records, computer files, emails, spreadsheets, and shall also include, but not be limited to, any draft or copy (with or without notes of changes thereon) of a writing or document.

Dated: September 29, 2021

Respectfully submitted,

**TAYLOR, FOSTER, MALLET, DOWNS,
RAMSEY & RUSSELL**

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